

MEMORANDUM

DATE: August 18, 2004

TO: Planning and Zoning Board

FROM: Greg Brewton, Acting Planning and Zoning Services Manager
Chris Barton, AICP, RLA, Principal Planner
Liz Holt, AICP, Acting Principal Planner

BY: Sheryl Stolzenberg, Planner III

SUBJECT: PZ Case No. 10-T-04

Applicant: City of Fort Lauderdale/Downtown Development Authority

Request: Amend the text of the City of Fort Lauderdale Comprehensive Plan to add new residential units to the Downtown Regional Activity

Background: Section 163.3167(11) of Florida Statutes states: “Each local government is encouraged to articulate a vision of the future physical appearance and qualities of its community as a component of its local comprehensive plan. The vision should be developed through a collaborative planning process with meaningful public participation and shall be adopted by the governing body of the jurisdiction.” In addition, this section of state statute further states: “...A local or regional vision must be consistent with the state vision, when adopted, and be internally consistent with the local or regional plan of which it is a component. The state land planning agency shall not adopt minimum criteria for evaluating or judging the form or content of a local or regional vision.”

In July of 2002, with support from the Community Redevelopment Agency (CRA) and the Downtown Development Authority, the City Commission of the City of Fort Lauderdale contracted with a professional consulting team to prepare a Master Plan for the downtown area. The Master Plan was intended to identify an overall vision and provide a guide to future growth and public investment that would result in the high quality desired for the downtown. The consulting team spent many months gathering input from community stakeholders through workshops and steering committee meetings while coordinating with numerous government agencies to achieve general consensus on the Master Plan/vision’s guiding goals and principles.

As a part of that Master Plan, an analysis was conducted to estimate a desirable future population level for the downtown area. The analysis was based on the recognition that demand existed for downtown housing for both those working in the area and those who preferred a more urban environment. A long-term population ranging from 23,400 to 46,800 was envisioned. Among principles listed in the Master Plan was Principle 2: “Increase residential opportunities Downtown, with supporting amenities.”

On November 18, 2003, the City Commission of the City of Fort Lauderdale accepted the “Consolidated Downtown Master Plan for the City of Fort Lauderdale – Building a Livable Downtown” by resolution. At this point, the design guidelines of the Consolidated Master Plan are now in use to evaluate proposed developments that include the previous 2900 residential units allocated to the RAC. However, the maximum number of residential units is still limited by the City and County Comprehensive Plans. The next step in the process of achieving the desired vision for downtown Fort Lauderdale is an amendment to the text of the City and County Comprehensive Plans to enable an increased number of residential units to be allowed in that part of the City which has the future land use designation of Downtown Regional Activity Center (Downtown-RAC).

Analysis of Plan Consistency

Overall Consistency with State, Regional, County and City Comprehensive Plans

The Florida State Legislature has provided guidance to define what is to be meant by ‘consistency’. In accordance with Section 163.3177(10) (a), Florida Statutes, “...for the purpose of determining whether local comprehensive plans are consistent with the state comprehensive plan and the appropriate regional policy plan, a local plan shall be consistent with such plans if the local plan is “compatible with” and “furthers” such plans. The term “compatible with” means that the local plan is not in conflict with the state comprehensive plan or appropriate regional policy plan. The term “furthers” means to take action in the direction of realizing goals or policies of the state or regional plan...” This direction is also used to evaluate the consistency of a proposed amendment to a local plan with the state, regional and county plans, including an amendment needed to bring portions of an adopted vision statement into the local comprehensive plan.

The State Comprehensive Plan, found in Chapter 187 of Florida Statutes, contains subsection (17), *Urban and Downtown Revitalization*, with a goal and policies that are furthered by the proposed amendment. The recently revised South Florida Strategic Regional Policy Plan contains Goal 11 for Development and Redevelopment, with several policies that are furthered by the proposed amendment. **Exhibit 1**, which contains supporting documentation prepared by a consultant retained by the Downtown Development Authority (DDA) and required by Chapter 163, Florida Statutes to amend a local comprehensive plan, also cites the goals and policies of the State and Regional Plans. These policy directives are also shown separately in **Exhibit 2**.

Broward County Land Use Plan: According to the Broward County Land Use Plan, the intent of the Regional Activity Center land use designation is “to encourage development or redevelopment of areas that are of regional significance. The major purposes of this designation are to facilitate mixed-use development, encourage mass transit, reduce the need for automobile travel, provide incentives for quality development and give definition to the urban form. This designation will only be applied to areas that are of regional significance. Examples of areas which may be appropriate for the regional activity center designation include downtown and redevelopment areas...”

The Downtown Regional Activity Center of Fort Lauderdale serves as the downtown for Broward County. The area also includes a designated CRA. As such, it has always been an appropriate location for this land use designation. In order to enable the Downtown Regional Activity Center to function as anticipated by the Broward County Land Use Plan, the proposed amendment is necessary to allow the desired residential development, and thus further the policy of facilitating mixed-use development that can encourage mass transit and pedestrian activity.

City of Fort Lauderdale Comprehensive Plan: One of the major policy directions in the City of Fort Lauderdale Comprehensive Plan has been to support concentration of larger scaled development in the appropriate location. Objective 16 of the Future Land Use Element of the City of Fort Lauderdale Comprehensive Plan states: "Concentrate development, particularly large-scale, mixed-use development, in the Downtown-RAC to discourage urban sprawl." The proposed amendment to add residential units is consistent with and furthers this major policy direction of the City's Comprehensive Plan.

Consistency with service requirements per State Law

Population projections

The Comprehensive Plans of the City of Fort Lauderdale and Broward County are long-range policy plans. These plans provide the picture of the community's desired ultimate land use pattern. The proposed plan amendment does not anticipate additional residents in the City as a whole, above that projected by the City, (could this be stated differently? Or left out? When I first read it, it sounds like we're not anticipating growth) but rather anticipates that a significant portion of the future population projected for the City will be located in this area. Amending the land use text of the comprehensive plan is the first step in providing direction to the more specific plans for individual services, such as the Water and Wastewater Master Plan of the City, or the plans of other governmental agencies.

the Growth Management Act (Chapter 163, Florida Statutes) requires all amendments to local comprehensive plans to be analyzed in terms of availability of services, even though that same State Act recognizes that a major change in vision is, in fact, the initiation of a change in direction for other aspects of the local comprehensive plan. The above-referenced **Exhibit 1** therefore contains this analysis.

Water and Wastewater

Among public services that are examined for the potential impact by the proposed amendment are wastewater and water services. While the analysis notes that capacity is available at the levels of service contained in the City's Comprehensive Plan as of July 20, 2004, it is also noted that the City is initiating an update of its Potable Water and Wastewater Master Plan in 2005. The update is required by the need to revise local water and wastewater plans for consistency with federally mandated changes and the plans of the South Florida Water Management District, but the update will also include an examination of how the concentration of population within the Downtown-RAC may call for localized improvements to collection and distribution systems.

Stormwater Management

Similarly, the plans of the Public Services Department and the policies of the City's Comprehensive Plan have called for a Master Plan for Stormwater Management, and the City is in the process of initiating this effort. The proposed amendment, which will guide a significant proportion of the City's projected population growth into the Downtown-RAC, will ensure that the Stormwater Master Plan includes an examination of what localized measures (if any) are needed to ensure that the adopted Levels of Service will continue to be met as the new units are put into place.

Parks and Open Space

The analysis of park and open space demands is based on the City's currently adopted Level of Service, which is a citywide LOS. This is the minimum required by state law and the Broward County Plan, and according to those requirements, there will be an increased demand for park and open space land over the long term. The City is presently in the process of initiating a Parks Master Plan that will examine park and open space needs on a sector basis. (The sectors will use the boundaries established by the Community Area Planning (CAP) districts, but will also look at the Downtown, Northwest and South Regional Activity Centers as unique areas. Upon completion of the Parks Master Plan, new LOS will be recommended that will enable the City to remain in compliance with State and County requirements, but will also identify park and open space needs unique to areas such as the Downtown-RAC and will identify mechanisms for ensuring that these needs are met.

Intergovernmental Coordination/Education and Transit

Analysis is also included regarding potential impacts on services provided by other governmental agencies. Analysis for educational facilities can only be carried out for the length of time shown in the Educational Facilities Plans, which are five-year capital improvement plans. These plans show that, for the year 2008/2009, there will be capacity in the elementary schools serving the Downtown-RAC as well as the High Schools, but during that same time period, Middle Schools serving the area will be over capacity. However, it is noted that the City and County are amending long-range plans, not five year plans. The City, County and Downtown Development Authority have provided information on this proposed plan amendment to the School Board and intend to work with the School Board to ensure that its long range planning includes capacity for those students who could be expected to reside in the Downtown-RAC.

A detailed analysis is also provided of the mobility demands anticipated to be generated by the proposed amendment. It is clear that the proposed vision anticipates that roadways alone could not provide service, and a detailed plan for alternative modes is offered. The analysis references the Downtown Transit/Pedestrian Master Plan that was developed to accompany the Consolidated Master Plan/Vision. The analysis emphasizes that components of the transit plan may be eligible for federal funding. The transit plan will be compatible with Broward County's new emphasis on transit-based concurrency, and continued coordination between the City and Broward County will be necessary to ensure that long-term mobility needs will continue to be addressed.

Planning and Zoning Board as the Local Planning Agency:

The Board shall consider a motion finding that the proposed amendment is consistent with and furthers the intent of the State Comprehensive Plan, Regional Policy Plan, County Plan and City of Fort Lauderdale Comprehensive Plan.

Planning and Zoning Board Review Options:

1. Recommend that the City Commission transmit the amendment, as proposed, to Broward County as an amendment to the Broward County Plan.
2. Recommend that the City Commission transmit the amendment, with revisions, to Broward County as an amendment to the Broward County Plan.
3. Defer action.
4. Recommend denial of the amendment.

PZ10-T-04/8-18-04/SS